EXHIBIT H

		Jonathon Michael Lawrie, PhD 2/13/2001	
		Page 1	
	1	IN THE UNITED STATES DISTRICT COURT	09:23:02
		SOUTHERN DISTRICT OF CALIFORNIA	
	2		09:23:02
	3		09:23:02
	4)	09:23:02
		GEN-PROBE INCORPORATED,)	
	5) NO.99cv2668 H (AJB)	09:23:02
		Plaintiff,)	
	6	vs.)	09:23:02
)	
	7	VYSIS, INC.,	09:23:02
****)	
	8	Defendant.)	09:23:02
U)	
<u>L</u> Li	9	X	09:23:02
Ū	10		09:23:02
		CONFIDENTIAL	
	11		09:23:02
	12	Videotaped Deposition of	09:23:02
	13	JONATHON MICHAEL LAWRIE, Ph.D.	09:23:02
	14	Durham, North Carolina	09:23:02
T T	15	Thursday, February 15, 2001	09:23:02
	16		09:23:02
	17		09:23:02
	18	Reported by:	09:23:02
		Sydney C. Silva, Registered Professional Reporter	
	19	File No:	09:23:02
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	21	· .	
	22		
	23		
	24		



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1	disclosed and claimed in the 338 patent is limited	17:38:44
2	to any particular type of amplification?	17:38:48
3	MR. BOWEN: Objection, calls for a legal	17:38:50
4	conclusion.	17:38:53
5	A. You know, it's limited to the definition	17:39:05
6	we had in there for amplification so it was in	17:39:08
7	vitro, for example.	17:39:13
8	Q. Do you believe the invention disclosed	17:39:17
9	and claimed in the 338 patent is limited to the use	17:39:19
10	of nonspecific amplification?	17:39:25
11	MR. BOWEN: Objection, calls for a legal	17:39:28
12	conclusion. Leading.	17:39:30
13	A. No, it's not limited to nonspecific	17:39:39
14	amplification.	17:39:43
15	Q. Now earlier today Mr. Bowen focused you	17:39:45
16	on some portions of the specification at Column 30.	17:39:49
17	Do you have the 338 patent in front of you,	17:39:54
18	Exhibit 37? If you could look at Column 30?	17:39:59
19	Specifically it's Column 30, starting at	17:40:13
20	Line 30, where it says, "Amplification of the	17:40:15
21	target nucleic acid sequences, because it follows	17:40:19
22	purification of the target sequences, can employ	17:40:22
23	nonspecific enzymes or primers." Do you see that?	17:40:25
24	A. Yes.	17:40:27

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	1	CERTIFICATE OF REPORTER	17:51:49
	2	STATE OF NORTH CAROLINA)	17:51:49
	3	COUNTY OF MECKLENBURG)	17:51:49
	4	I, Sydney C. Silva, Notary Public within	17:51:49
	5	and for the State of North Carolina, do hereby	17:51:49
	6	certify:	17:51:49
	7	That JONATHON MICHAEL LAWRIE, Ph.D.,	17:51:49
	8	the witness whose deposition is hereinbefore set	17:51:49
	9	forth, was duly sworn by me and that such	17:51:49
	10	deposition is a true record of the testimony given	17:51:49
Link,	11	by the witness.	17:51:49
	12	I further certify that I am not related	17:51:49
	13	to any of the parties to this action by blood or	17:51:49
	14	marriage, and that I am in no way interested in the	17:51:49
Ĭ	15	outcome of this matter.	17:51:49
	16	IN WITNESS WHEREOF, I have hereunto set	17:51:49
, ,	17	my hand this 23rd day of February, 2001.	17:51:49
	18	·	17:51:49
	19		17:51:49
		SYDNEY C. SILVA	
	20	Notary Public in and for the	17:51:49
		State of North Carolina	
	21		17:51:49
	22	My Commission expires May 16, 2001.	17:51:49
	23		17:51:49
	24		17:51:49